

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE GUILLERMO TELLO-ALBARRAN,

Defendant.

2:19-CR-133-APG-VCF

**Preliminary Order of Forfeiture**

This Court finds Jose Guillermo Tello-Albarran pled guilty to Count 29 of a 30-Count Criminal Indictment charging him in Count 29 with possession of a controlled substance with intent to distribute-methamphetamine in violation of 21 U.S.C. § 841(a)(1). Criminal Indictment, ECF No. 16; Change of Plea, ECF No. 298; Plea Agreement, ECF No. 299.

This Court finds Jose Guillermo Tello-Albarran agreed to the forfeiture of the property set forth in the Plea Agreement and Forfeiture Allegation One of the Criminal Indictment. Criminal Indictment, ECF No. 16; Change of Plea, ECF No. 298; Plea Agreement, ECF No. 299.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and Forfeiture Allegation One of the Criminal Indictment and the offense to which Jose Guillermo Tello-Albarran pled guilty.

The following property is (1) any property, real or personal, which constitutes or is derived from proceeds traceable to violations of 21 U.S.C. § 841(a)(1), a specified unlawful

activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), or a conspiracy to commit such offense; (2) any property constituting, or derived from, any proceeds obtained, directly or indirectly as the result of violations of 21 U.S.C. § 841(a)(1); (3) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of violations of 21 U.S.C. § 841(a)(1); and (4) all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § 841(a)(1), all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. § 841(a)(1) and is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); and 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c):

1. \$12,569 (property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Jose Guillermo Tello-Albarran in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition

1 contesting the forfeiture must be filed, and state the name and contact information for the  
2 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
3 and 21 U.S.C. § 853(n)(2).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
5 or entity who claims an interest in the aforementioned property must file a petition for a  
6 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
7 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
8 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
9 right, title, or interest in the forfeited property and any additional facts supporting the  
10 petitioner's petition and the relief sought.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
12 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,  
13 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
14 not sent, no later than sixty (60) days after the first day of the publication on the official  
15 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
17 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
18 Attorney's Office at the following address at the time of filing:

19 Daniel D. Hollingsworth  
20 Assistant United States Attorney  
21 James A. Blum  
22 Assistant United States Attorney  
23 501 Las Vegas Boulevard South, Suite 1100  
24 Las Vegas, Nevada 89101.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
26 described herein need not be published in the event a Declaration of Forfeiture is issued by  
27 the appropriate agency following publication of notice of seizure and intent to  
28 administratively forfeit the above-described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
2 copies of this Order to all counsel of record.

3 DATED December 9, 2021.

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7 ANDREW P. GORDON  
8 UNITED STATES DISTRICT JUDGE  
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